

Original
1 & 5

ORDINANCE NO. 721

AN ORDINANCE CALLING A SPECIAL MUNICIPAL BOND ELECTION IN THE CITY OF LODI FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF SAID CITY THE MEASURES OF INCURRING A BONDED INDEBTEDNESS OF SAID CITY FOR THE ACQUISITION, CONSTRUCTION AND COMPLETION OF THE FOLLOWING MUNICIPAL IMPROVEMENTS, AND EACH OF THEM, TO WIT:

- (B) CIVIC CENTER;
- (C) STORM DRAIN SYSTEM;
- (D) STREET IMPROVEMENTS;
- (E) WATER SYSTEM IMPROVEMENTS;
- (F) SANITARY SEWAGE SYSTEM IMPROVEMENTS;
- (G) PARK AND RECREATION FACILITIES;
- (H) CORPORATION YARD;
- (I) FIRE DEPARTMENT IMPROVEMENTS; AND
- (J) LIBRARY;

DECLARING THE ESTIMATED COST OF SAID MUNICIPAL IMPROVEMENTS, AND EACH OF THEM, THE AMOUNT OF THE PRINCIPAL OF SAID INDEBTEDNESS TO BE INCURRED THEREFOR, AND THE MAXIMUM RATE OF INTEREST TO BE PAID THEREON; MAKING PROVISION FOR THE LEVY AND COLLECTION OF TAXES; FIXING THE DATE OF SAID ELECTION, THE MANNER OF HOLDING THE SAME, PROVIDING FOR NOTICE THEREOF, AND CONSOLIDATING SAID SPECIAL MUNICIPAL BOND ELECTION WITH THE STATE OF CALIFORNIA DIRECT PRIMARY ELECTION TO BE HELD ON JUNE 5, 1962.

WHEREAS, the City Council (hereinafter sometimes called "the Council") of the City of Lodi

by resolution duly passed and adopted at a meeting of the Council duly and regularly held, by affirmative vote of more than two-thirds of all its members, did determine that the public Interest and necessity demand the acquisition, construction and completion of the municipal Improvements, and each of them, hereinafter mentioned, and did further determine that the cost of said proposed municipal improvements, and each of them, will be too great to be paid out of the ordinary annual income and revenue-of said municipality and that said municipal improvements will require an expenditure greater than the amount allowed therefor by the annual tax levy, and will require the incurring of a bonded indebtedness therefor, which resolution was duly entered on the minutes of said meeting of the Council, and Is now on file and of record in the Clerk's office of said City; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF LODI DOES ORDAIN
AS FOLLOWS:

Section 1. A special municipal bond election be and is hereby ordered and will be held in the City of Lodi (hereinafter called "the City") on Tuesday, June 5, 1962, at which election shall be submitted to the qualified electors of the City the question of incurring a bonded indebtedness of the City for the objects and purposes set forth in the following measures, and each of them, to wit:

CITY OF LODI BOND MEASURES

: **MEASURE (B):** Shall the City of Lodi :
: **(Civic Center)** incur a bonded indebted- :
: ness in the principal : YES :
: amount of \$791,000 for the acquisition, construc- :
: tion and completion of the following municipal im- :
: provement, to wit: A civic center, including :
: hall of justice and fire station building, acqui- :
: sition and development of civic center site, land- :
: scaping and other site improvements, land, ease- :
: ments, rights of way and other works, property or :
: structures necessary or convenient for a civic : NO :
: center for the City of Lodi?

: **MEASURE (C):** Shall the City of Lodi :
: **(Storm Drain System)** incur a bonded indebted- :
: ness in the principal : YES :
: amount of \$1,436,000 for the acquisition, con- :
: struction and completion of the following municipal :
: improvement, to wit: Municipal storm drain system, :
: including trunk lines, ditches, outfall ditch, :
: freeway drainage, standby generators for emergency :
: pumping, pipes, manholes, catchbasins, pumps, :
: lands, easements, rights of way and other works, :
: property or structures necessary or convenient for : NO :
: a municipal storm drain system for the City of :
: Lodi?

: **MEASURE (D):** Shall the City of Lodi :
: **(Street Improvements)** incur a bonded indebted- :
: ness in the principal : YES :
: amount of \$537,000 for the acquisition, construc- :
: tion and completion of the following municipal im- :
: provement, to wit: Street improvements, including :
: reconstruction, repaving, resurfacing, replace- :
: ment, widening and extension of existing streets :
: (including removal and relocation or replacement :
: of existing public utility facilities); construc- :
: tion, paving and surfacing of new streets; new :
: curbs, gutters and sidewalks and replacement of :
: existing curbs, gutters and sidewalks; lands, ease- : NO :
: ments and rights of way; and other works, property :
: or structures necessary or convenient for street :
: improvements for the City of Lodi?

: MEASURE (E): : (Water System : Improvements)	Shall the City of Lodi incur a bonded indebted- ness in the principal amount of \$614,000 for the acquisition, construction and completion of the following municipal improvement, to wit: Improvement of the municipal water system, includ- ing new water mains, ,replacementsand extensions of existing water mains, pipes, valves, hydrants, meters, wells and well sites, tanks and tank sites, pumps, standby engines, lands, easements, rights of way and other works, property or structures necessary or convenient for improvement of the municipal water system of the City of Lodi?	: : : YES : : : : : : : NO : : :
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: MEASURE (F): : (Sanitary Sewage : System Improvements)	Shall the City of Lodi incur a bonded indebted- ness in the principal amount of \$87,000 for the acquisition, construction and completion of the following municipal improvement, to wit: Improvement of the municipal sanitary sewage system, including new trunk and outfall sewer lines, replacement of existing trunk lines, pipes, connections, purchase of sewage treatment plant site and new plant, lands, easements, rights of way and other works, property or structures neces- sary or convenient for improvement of the municipal, sanitary sewage system of the City of Lodi?	: : : YES : : : : : : NO : :
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: MEASURE (G): : (Park and Recreation : Facilities)	Shall the City of Lodi incur a bonded indebted- ness in the principal amount of \$321,000 for the acquisition, construction and completion of the following municipal improvement, to wit: Park and recreation facilities, Including improve- ment of existing parks, acquisition and develop- ment of new parks, planting, landscaping, paving, walkways and other site improvements for existing city-owned lands and parks; conversion of park sprinkler system to automatic; reconstruction of stadium; park department nursery; lands, ease- ments and rights of way; and other works, property or structures necessary or convenient for park and recreation facilities for the City of Lodi?	: : : YES : : : : : : NO : : :
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: MEASURE (H):          Shall the City of Lodi :
: (Corporation Yard)    incur a bonded indebted- :
:                        ness in the principal :
: amount of $183,000 for the acquisition, construc- : YES :
: tion and completion of the following municipal im- :
: provement, to wit: Corporation yard, including :
: shops, storage buildings, equipment sheds and :
: other facilities for the care, custody and opera- :
: tion of city-owned equipment and materials; :
: storage and parking areas, paving, surfacing, yard :
: lighting, fencing, storm drains and other site :
: improvements; water, gas and electrical faciliti- :
: ties; lands, easements and rights of way; and : NO
: other works, property or structures necessary or :
: convenient for a corporation yard for the City :
: of Lodi? :

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: MEASURE (I):          Shall the City of Lodi :
: (Fire Department      incur a bonded indebted- : YES :
: Improvements)         ness in the principal :
:                        amount of $135,000 for :
: the acquisition, construction and completion of :
: the following municipal improvement, to wit: :
: Fire department improvements, including construc- :
: tion of new fire station together with furniture, :
: fixtures and equipment therefor; new city-wide :
: fire alarm system; lands, easements and rights of :
: way; and other works, property or structures nec- : NO :
: essary or convenient for fire department improve- :
: ments for the City of Lodi? :

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: MEASURE (J):          Shall the City of Lodi :
: (Library)             incur a bonded indebted- :
:                        ness in the principal :
:                        amount of $475,000 for : YES :
: the acquisition, construction and completion of the :
: following municipal improvement, to Wit: A library, :
: including book storage space and other storage :
: areas, reading and conference rooms and reference :
: and staff facilities; furniture, fixtures and :
: equipment; site improvements; new books; land, : NO :
: easements and rights of way; and other works, :
: property or structures necessary or convenient for :
: a municipal library for the City of Lodi? :

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The estimated cost of the municipal improvement set forth in Measure (B) is the sum of \$791,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$791,000.

The estimated cost of the municipal improvement set forth in Measure (C) is the sum of \$1,436,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$1,436,000.

The estimated cost of the municipal improvement set forth in Measure (D) is the sum of \$537,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$537,000.

The estimated cost of the municipal improvement set forth in Measure (E) is the sum of \$614,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$614,000.

The estimated cost of the municipal Improvement set forth in Measure (F) is the sum of \$787,000 and the amount of the indebtedness proposed to be incurred for said municipal Improvement is the sum of \$787,000.

The estimated cost of the municipal Improvement set forth in Measure (G) is the sum of \$321,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the **sum** of \$321,000.

The estimated cost of the municipal Improvement set forth in Measure (H) is the **sum** of \$183,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the **sum** of \$183,000.

The estimated cost of the municipal Improvement set forth in Measure (I) is the sum of \$135,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$135,000.

The estimated cost of the municipal improvement set forth in Measure (J) is the sum of \$475,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$475,000.

The estimated cost hereinabove stated of each such municipal improvement includes legal or other fees incidental to or connected with the authorization, issuance and sale of the bonds evidencing the Indebtedness proposed to be Incurred for such municipal improvement

and the costs of printing said bonds and other costs and expenses incidental to or connected with the issuance and sale of said bonds.

Section 2. The Council does hereby submit to the qualified electors of the City at said special municipal bond election said measures, and each of them, set forth in Section 1 of this ordinance, and designates and refers to said measures as the measures to be set forth on the ballots hereinafter prescribed **for** use at said election.

(a) Said special municipal bond election shall be held and conducted, and the votes thereof canvassed, and the returns thereof made, and the result thereof ascertained and determined, as herein provided; and in all particulars not prescribed by this ordinance, said election shall be held as provided by law.

(b) All persons qualified to vote at municipal elections in the City upon the date of the election herein provided for shall be qualified to vote upon the measures submitted at said special municipal bond election.

(c) The polls at the polling places hereinafter designated shall be opened at 7:00 o'clock A.M. of said day of election and shall be kept open continuously thereafter until 7:00 o'clock P.M. of said day of election, when the polls shall be closed (except as provided in Section 14436 of the Elections Code), and the election officers shall thereupon proceed to canvass the ballots cast thereat.

(d) Said special municipal bond election hereby called shall be and **is** hereby consolidated with

the State **of** California Direct Primary Election to be held in the City on June 5, 1962, all as required by and pursuant to law; and the election precincts, polling places and officers of election within the City **for** said special municipal bond election hereby called shall be the same as those selected and designated by the Board **of** Supervisors of San Joaquin County for said primary election and set forth or to be set forth in the notice **of** election officers and polling places for said primary election published or to be published by the County Clerk **of** said County, as **required** by law, to which notice reference is hereby specifically made for a designation **of** the precincts, polling places, and election officers **of** the special municipal bond election hereby called. Only qualified voters **of** the City shall be permitted to vote at said special municipal bond election. The Board **of** Supervisors of said County is authorized to canvass, or cause to be canvassed, the returns **of** said special municipal bond election with respect to the votes cast in the City and to certify the results to the Council.

(e) On the ballots to be used at said primary election and said special municipal bond election hereby consolidated therewith, in addition to all other matters required by law to be printed thereon, shall appear the measures, and each **of** them, set forth in Section 1 hereof. Each voter may vote on any or all of said measures. Each voter to vote for any measure hereby submitted and for incurring said bonded indebtedness shall stamp a cross (X) in the blank space opposite the word "YES"

on the ballot to the right of said measure, and to vote against any measure and against incurring said indebtedness shall stamp a cross (X) in the blank space opposite the word "NO" on the ballot to the right of said measure. On absent voter ballots the cross (X) may be marked with pen or pencil. Absent voter ballots setting forth said measures, and each of them, shall be issued to qualified electors residing within the City entitled thereto, in the manner provided by law, and such absent voter ballots shall likewise be canvassed, or caused to be canvassed, by the Board of Supervisors of said County.

(f) At the next regular meeting of the Council occurring after the returns of said special municipal bond election have been canvassed, or caused to be canvassed, by the Board of Supervisors of said County, and the certification of the results thereof to the Council, or at a special meeting called thereafter for such purpose, the Council shall cause to be spread upon its minutes a statement of the results of said special municipal bond election as ascertained by said canvass.

Section 3. The Council proposes to issue and sell bonds of the City for the objects and purposes, but not exceeding the amount, specified in said respective measures, if two-thirds of the qualified electors voting on each separate measure at said special municipal bond election shall vote in favor of each of said measures, provided, however, that the votes cast for and against each of said respective measures shall be counted separately and, when two-thirds of the qualified electors voting on any one of such measures vote in favor thereof,

such measure shall be deemed adopted and bonds of the City in the aggregate amount specified in the measure or measures which carried by the affirmative vote of two-thirds of the qualified electors of the City voting on said measure or measures at said election shall thereby be authorized to be issued and sold for the objects and purposes specified in said measure or measures which received such affirmative two-thirds vote,

Said bonds shall be negotiable in form and of the character known as serial, and shall bear interest at a rate not to exceed **six** (6) per cent per annum, payable semiannually (except that interest for the first year after the date of said bonds may be made payable at or before the end of said year). Provision **is** hereby made for the payment of the principal of and interest on said bonds as follows: At the time **of** making the general tax levy after incurring the bonded indebtedness, and annually thereafter until the bonds are paid or until there is a **sum** in the treasury set apart for that purpose sufficient to meet all payments of principal **and** interest on the bonds as they become due, the Council shall levy and collect **a** tax sufficient to pay the interest on the bonds **and** such part of the principal as will become due before the proceeds of a tax levied at the next general tax levy will be available; provided, however, that if said bonds are authorized to be issued at said election, and **it is** expected that **all** or any part of said bonds will be sold at such time that the principal **of** or Interest on such bonds **will** become due before the proceeds **of** a tax levied after such sale would be

available to pay such principal or interest, the Council, at the time of fixing the annual tax levy, may levy a tax in an amount clearly sufficient to pay that portion, of the principal of and interest on said bonds which it is expected will become due before the proceeds of the next succeeding tax levy will be available. If the earliest maturity of the bonds is more than one year after the date of issuance, the Council shall levy and collect annually a tax sufficient to pay the interest as it falls due and to constitute a sinking fund for the payment of the principal on or before maturity. Such taxes shall be levied and collected as other City taxes and shall be in addition to all other taxes and shall be used only for payment of the bonds and the interest thereon.

Section 4. The City Clerk of the City is hereby directed, upon the passage and adoption of this ordinance, to publish the same once a day for at least seven (7) days in the LODI NEWS SENTINEL, which is a newspaper of general circulation published at least six (6) days a week in the City, and such publication shall constitute notice of said election. No other notice of the election hereby called need be given.

Section 5. This ordinance shall be forthwith entered upon the minutes of the Council and in the Ordinance Book of the City. This ordinance, being an ordinance

calling and ordering an election, shall take effect from
and after its final passage and approval.

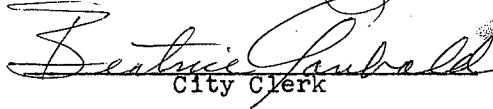
PASSED AND ADOPTED this 11th day of April,
1962, by the following vote:

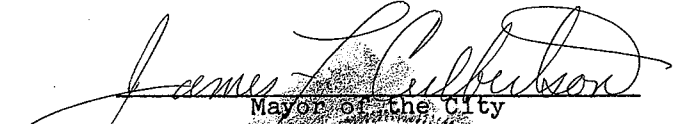
AYES: Councilmen - BROWN, KATZAKIAN, MITCHELL, ULLMANN
and CILBERISON

NOES : NONE:

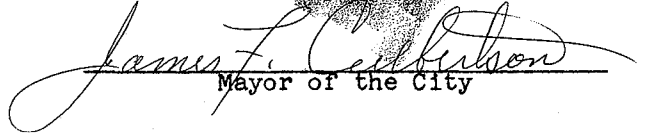
ABSENT : NONE

Attest:


City Clerk


Mayor of the City

The foregoing ordinance was presented to me for
approval and is hereby approved this 11th day of April, 1962.


Mayor of the City

CLERK'S CERTIFICATE

I, Beatrice Garibaldi, City Clerk of the City of Lodi, State of California, do hereby certify that the foregoing Ordinance is a full, true and correct copy of an ordinance introduced and read at a regular meeting of the Council of said City duly and regularly and legally held on the 4th day of April, 1962, and said ordinance was thereafter duly passed and adopted by vote of at least two-thirds of all of the members of the Council, at an adjourned regular meeting of the Council duly and regularly and legally held at the regular meeting place thereof on the 11th day of April, 1962, of which meeting all of the members of the Council had due notice, as follows:

AYES : Councilmen - **BROWN, KATZAKIAN, MITCHELL, ULLMANN**
and **CULBERTSON**

NOES : NONE

ABSENT: NONE

That I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said ordinance is duly entered of record in the minutes of the Council and in the Ordinance Book of said City, and said ordinance is a full, true and correct copy of the original ordinance adopted at said meeting and entered in said minutes and Ordinance Book. That said ordinance has not been amended, modified or rescinded since the date of its passage and that the same is now in full force and effect.

WITNESS my hand and the seal of the City of Lodi,
this 11th day of April, 1962.

